

Attorney Docket No.: IR-2800(NBA)
USSN: 09/627,312

Date: December 19, 2002
Group Art Unit: 1773

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Helmut W. Kucera
USSN: 09/627,312
Filed: 07/27/2000

Attorney Docket No.: IR-2800(NBA)
Group Art Unit: 1773
Examiner: Monique R. Jackson

For: *Two Part Aqueous Metal Protection Treatment*

December 19, 2002

TERMINAL DISCLAIMER (37 CFR §1.321(c))

The Honorable Assistant Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

This Terminal Disclaimer under 37 C.F.R. §1.321(c) is filed in response to the Office Action dated June 20, 2002 and declaration per 37 CFR 1.130.

I, Miles B. Dearth, represent that I am the attorney of record for this invention.

The assignee of the invention is Lord Corporation having an address at 111 Lord Drive, Cary, North Carolina 27511. The invention assignment was recorded in the U.S. Patent and Trademark office on Oct. 23, 2000, in reel no. 011287 and frame no. 0695.

The assignee owns the entire interest in the invention.

The terminal part of the statutory term of any patent granted on the above-identified application or the above-identified patent that is subject to re-examination, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of the patent or application forming the basis of the double patenting rejection, United States Patent No. 6,476,119, published as WO 99/37713, is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,476,119.

Accordingly, disclaimer is hereby made for all that portion of the term of any patent to be issued on the above-identified application subsequent to January 27, 2018.

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In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, in the event that United States Patent No. 6,476,119 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Examiner is authorized to charge Deposit Account 12-2143 the required \$110.00 Terminal Disclaimer filing fee.

The foregoing Terminal Disclaimer is believed to be in the form required to obviate the obviousness type double patenting rejection of the claims. Accordingly, claims 1-10 are now believed to be allowable. Acceptance of the disclaimer and reconsideration and withdrawal of the obviousness type double patenting rejection of the pending claims 1-10 are respectfully requested.

Respectfully submitted,

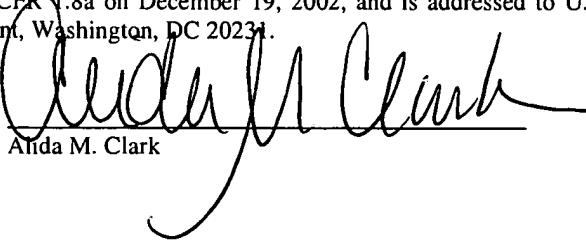

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Certificate of Express Mail under 37 CFR §1.8a

I hereby certify that the above identified petition (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8a on December 19, 2002, and is addressed to U.S. Patent and Trademark Office, Box Fee Amendment, Washington, DC 20231.

Signed


Alida M. Clark

Date December 19, 2002